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SUBJECT: VP ADEL ABDEL MEHDI ON VETO, SFA, AND AHMADINEJAD VISIT

REF: A. BAGHDAD 658 (WHY VP ADEL REFUSED TO SIGN)
1B. BAGHDAD 573 (ADEL VETOES LAWS)
1C. BAGHDAD 621 (PARLIAMENT SPEAKER ON PPL)

Classified By: Ambassador Ryan C. Crocker for reasons 1.4 (b) and (d).

11. (C) Summary: In a March 4 meeting, Vice President Adel Abdel Mehdi defended his decision to veto the Provincial Powers Law (PPL) and said he would work closely with CoR leaders and bloc heads to effect a compromise bill that would be passed by the Presidency Council without another CoR vote.

The Ambassador urged Adel to act on this with a sense of urgency so as to restore political momentum. Adel insisted his veto will not delay provincial elections since the bill was not scheduled to take legal effect until after the elections are completed, and he discussed initial GOI efforts to prepare for elections. The Ambassador briefed on the USG vision for upcoming Strategic Framework Agreement (SFA) and Status of Forces (SOFA) negotiations: Adel expressed his intent to work closely to achieve a mutually-satisfactory pact, but added that "we will have difficult days" along the way. Adel averred that the most important point made during Iranian President Ahmadinejad's visit was that Iraq is as important to Iran as it is to the United States, and he said the Iraqis obtained Iranian concessions on Maysan oil fields and pushed back an Iranian attempt to garner express GOI support for Iran's nuclear program. Adel groused about allegedly inaccurate and inappropriate reporting by USG-funded al-Hurra. End Summary.

PPL Veto Was Right Thing To Do, Will Not Delay Elections

12. (C) The Ambassador raised the matter of Adel's PPL veto, stressing the importance of restoring momentum and a sense of seriousness of purpose as demonstrated by the CoR's February 13 passage of the PPL and two other items. In defense of his veto, Adel explained that he had met recently with six provincial governors and provincial council members (as well as their legal advisors) from all provinces except Ninewah and Kirkuk and that all had expressed agreement with his contention that the law as passed violated Iraq's constitution. Adel's aide Fareed Yasseen chimed in that the Governor of Anbar province even declared he was hoping Vice President Tareq al-Hashemi would also have vetoed the bill. Adel said the PPL issue will be settled in one of two ways. One, in the unlikely event that the CoR is able to override the veto, he will challenge the bill's constitutionality in court. In a second and far more likely scenario, Adel will meet with CoR Speaker Mashadani in several days and present a document that outlines his specific objections to the bill (he shared a copy with us (Ref A) and said he has already sent a draft to fellow Presidency Council members Hashemi and President Talabani for their input, which he will include in his paper to the Speaker) and then work with the CoR leadership and bloc leaders to cobble together an amended

bill for passage by the Presidency Council without another CoR vote. (Note: In light of the numerous constitutional objections that Adel raised in connection with his decision to veto the law, proceeding in this fashion is a curious choice. Article 138 (Fifth) of the Iraqi Constitution, which delineates the process for Presidency Council ratification or veto of legislation and CoR override, appears to require that vetoed legislation return to the CoR for re-examination and a vote before it is sent back to the Presidency Council for approval. During a March 1 meeting, COR Speaker Mashadani clearly expected that another vote in the COR would be required unless the VP withdrew his objections (Ref C). End Note). The Ambassador urged Adel to resolve the issue with a sense of urgency.

¶13. (C) Adel declared that his veto will not delay provincial elections since the bill was not scheduled to take legal effect until after the elections are completed, a point completely lost on Sadrists Trend bloc members who inserted an express October 1 election date in the draft law. Adel asserted that the Independent High Electoral Commission is taking steps to prepare for elections, the GOI is making security plans, and the Prime Minister's office is working on a draft election law (he admitted he had not seen a copy). He said the law will address the issue of IDP voting procedures, open or closed list determination, and campaign guidelines, but should not include a specific election date which is a technical issue that should not be determined by the CoR. Adel prefers that the elections take place on a single day to deter fraud, but he acknowledged that this might create security problems.

SFA/SOFA

¶14. (C) The Ambassador and NSC Senior Director McGurk briefed on the USG vision for upcoming SFA and SOFA negotiations, noting that the SFA sets forth a framework for bilateral diplomatic, economic, political, cultural, and security aspects of our relations and the SOFA is an enabling mechanism for the security aspect. We contemplate that the two agreements will be negotiated on parallel tracks. The SFA will be signed by the heads of state and will be negotiated at that level. The SOFA will be negotiated at the same time by the two broad-based and technocratic negotiating teams, and should be concluded at the same time as the SFA. Adel said public USG assurances not to seek permanent military bases has helped prepare the ground for negotiations, and expressed hope that talks will be held in a fully transparent manner in order to gain broad Iraqi support. As for the GOI negotiating vision, he said the Political Council for National Security (PCNS) decided that a technical team drawn from relevant GOI ministries will conduct the negotiations under the overall leadership of Prime Minister Maliki, who will advise and consult the Presidency Council and PCNS throughout the process. Adel said the Iraq side is better prepared for upcoming talks than it was for last year's Declaration of Principles negotiations, adding that "we will have difficult days" and must work hard together to achieve a good agreement.

Ahmadinejad Visit

¶15. (C) Adel averred that the most important point made during Iranian President Ahmadinejad's visit was that Iraq is as important to Iran as it is to the United States. Stating that "your message was delivered directly," he pointed out that Ahmadinejad's public statements were restrained and did not refer to "the occupation." Regarding Ahmadinejad's public assertion that Iraqis do not like the U.S., Adel remarked that while the Iraqi people may not like the U.S., they do not like Iran either. He pointed to two significant aspects of the joint Iraq-Iran statement. First, the parties resolved a dispute involving Iranian slant drilling in Maysan oil fields by agreeing to adopt "international standards" in oilfield development. Second, the Iraqis held off an Iranian

effort to obtain express GOI support in the statement text
for Iran's stance on nuclear development.

ISCI Miffed at Al-Hurra

¶6. (C) Adel expressed concern over a recent spate of assassinations of ISCI/Badr officials in southern Iraq, including the killing of a senior police officer in Dhi Qar who was on his way back from consultation with senior GOI security brass in Basrah. He said the murders are still under investigation but preliminary evidence points to "the same people who killed our governors last year" (read JAM). He also complained of alleged inaccurate and inappropriate reporting by USG-funded al-Hurra, and cited an alleged instance in which al-Hurra demeaned an offer extended by the Governor of Najaf (an ISCI official) to allow a murdered Iraqi journalist to be buried in Najaf's cemetery (a great honor for Shia Muslims). According to Adel's account, al-Hurra asserted that the governor should provide houses to living journalists rather than graveyard space to dead journalists. In a subsequent meeting reported septel, Amar al-Hakim raised similar complaints about al-Hurra. The Ambassador stated that while we have no control over al-Hurra content, we have an interest in accurate, fair journalism and will look into instances of inaccurate or unfair reporting by al-Hurra.

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